

## REMARKS/ARGUMENTS

### Information Disclosure Statement

A Form PTO/SB/08a is enclosed citing those references from the International Search Report which were not separately provided in an Information Disclosure Form.

With respect to the Examiner's comment that the information disclosure statement filed on 5/16/06 fails to fully comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the cited patent number 1,160,386, the name of patentee, and the issue date do not correspond, the Applicant respectfully submits that US 1,160,386 was erroneously provided. The patent number corresponds to GB 1,160,386, which was indicated in the information disclosure statement of 5/16/06. A copy of the Patent was provided.

### Specification

With respect to the Examiner's objection to the disclosure due to informalities, the Applicant has amended the specification accordingly.

### Amendments to the Claims

Claims 1-7 are under examination. Original claims 2 - 4, 6 and 7 remain unchanged. Claims 1 and 5 have been amended; claim 8 is newly added as set out below.

Without acquiescing to any rejection, but in the interest of advancing prosecution, Claim 1 has been amended to better define the invention by reciting the positions of the desiccant concealing member and the desiccant cartridge, which are adjacent to the inner pane of the window. No new matter has been added. Support for the claim can be found throughout the specification, for example on Page 4, lines 16-20 (paragraph [0023]) and in Figures 1-3.

Claim 8 is directed to a second desiccant material contained within the desiccant cartridge and having a higher affinity for water than the first desiccant material. No new matter has been added. Support for the claim is found in paragraph [0026].

Rejection under 35 USC 103(a)

Claims 1-7 stand rejected under 35 USC 103(a) as being unpatentable over Stoneback (US Patent No. 2,276,112) in view of Shinagawa (US Patent No. 4,658,553). The Applicant respectfully traverses this rejection.

The Applicant submits that Stoneback discloses a heat insulation window having outer panes defining an air space therebetween and a frame surrounding a perimeter of the window. The frame contains a hinged door or cover, an expansible and contractible receptacle containing a dehydrating agent removably disposed within the door and ducts for providing gas communication between the air space and the expansible and contractible receptacle. Shinagawa discloses a multi-window pane structure having two parallel glass panes, which are separated from one another by a spacer disposed along their edges, between the two glass panes.

Stoneback addresses the water problem of preventing condensation in the air space of a heat insulation window by using an expansible and contractible receptacle, as described in the specification on Page 1, column 1, lines 12-19:

"Another object of the invention is to provide an expansible and contractible receptacle containing a dehydrating agent and connected by passageways with a dead air space of an insulated window structure, whereby any increase in the static air pressure may be accommodated and such static air dehydrated to prevent the formation of mist on the inside of the window glasses." [emphasis added]

and further explained on Page 2, column 1, lines 16-23:

"As illustrated particularly in Fig. 2, a recess 23 is formed in the window frame or sash open at the front and said opening may be closed by a door or cover 24 hinged at 25 and normally retained in a closed position by one or more spring latches 26 which will permit the door 24 to open should the receptacle expand to a size larger than the recess 23 or the housing as a whole." [emphasis added]

Stoneback, thus, does not disclose a desiccant cartridge and the detachable desiccant concealing member in the same configuration as taught by the present application. Further, aspects of the expansible and contractible receptacle, positioned along with the hinged door, as disclosed by Stoneback are problematic. When conditions for condensation are conducive, the expansible and

retractable receptacle of Stoneback may expand to a size greater than the recess, thereby opening the door and providing a significant passageway to the interior of the frame and exposing the interior of the frame, as described above. This would likely lead to further condensation within the frame, along with a greater likelihood of moisture entering the air space between the panes, while rendering the receptacle more difficult to replace due to its expanded size and the barrier provided by the hinged door. In addition, this could lead to a break in the heat insulation properties of the window.

The present application overcomes this problem by providing a desiccant cartridge along with detachable desiccant concealing member. The detachability of the desiccant concealing member also makes it easier when installing and replacing the desiccant cartridge, as it does not restrict access or provide a barrier to the installation space of the desiccant cartridge. Further, as the desiccant concealing member is attached to the frame, it does not provide a similar passageway as Stoneback (described above) for moisture to encroach within the frame and cause further condensation and reduced heat insulation.

As Shinagawa discloses the positioning of a spacer between the glass panes, the combination of Stoneback and Shinagawa would have the same problems as discussed above and would not provide the solution taught by the present application.

In addition to the above remarks, the Applicant respectfully submits that amended independent claim 1 recites that "the desiccant concealing member and the desiccant cartridge are positioned adjacent to the inner window" (support on Page 4, lines 16-19 (paragraph [0023] and in Figures 1-3), which has not been disclosed or taught by either Stoneback or Shinagawa. The positioning of the desiccant concealing member further assists to address the problem at issue. The positioning of the desiccant concealing member and the desiccant cartridge on the inner window pane facilitates removal and installation of the desiccant cartridge independent of conditions outside the window, and further reduces the probability of condensation within the frame and in the air space between the window panes.

Based on the above remarks, the Applicant respectfully submits that a *prima facie* case for obviousness has not been established. As the claimed invention does not constitute a combination of the elements, as disclosed in Stoneback and Shinagawa, nor are those elements performing the same function and yielding the expected results that would be obtained upon combination of the elements

of Stoneback in view of Shinagawa, the Applicant respectfully submits that independent claim 1 is not obvious.

As claims 2-8 are dependent upon Claim 1, the Applicant respectfully submits that they are also not obvious.

Reconsideration of the application is respectfully requested.

### CONCLUSION

In view of the foregoing remarks and amendments, it is respectfully submitted that this application is in condition for allowance and allowance thereof is respectfully requested.

Respectfully submitted,

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Attachments: Form PTO/SB/08a